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\$ 3732 ✓

AMENDMENT TRANSMITTAL LETTER

Docket No.
OSTEONICS 3.0-380

Application No.
10/071,667

Filing Date
February 8, 2002

Examiner
M. B. Priddy

Art Unit
3732

Applicant(s): Kathy K. Wang, Nicholas N. Dong, and Michael Meehan

Invention: POROUS METALLIC SCAFFOLD FOR TISSUE INGROWTH

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	37	- 81 =		x	0.00
Independent Claims	2	- 6 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

☒ Large Entity

☐ Small Entity

☒ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. _____ in the amount of \$ _____
A duplicate copy of this sheet is enclosed.

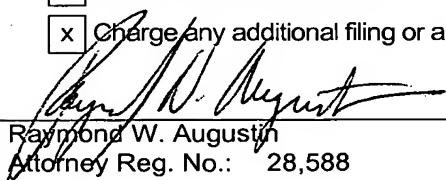
☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-1095
as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.


Raymond W. Augustin
Attorney Reg. No.: 28,588

Dated: February 20, 2004

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 518-6318

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 20, 2004

Signature: 

(Raymond W. Augustin)

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TECHNOLOGY CENTER R3700



Docket No.: OSTEONICS 3.0-380
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Wang et al.

Application No.: 10/071,667

Filed: February 8, 2002

For: POROUS-METALLIC-SCAFFOLD FOR
TISSUE INGROWTH

Group Art Unit: 3732

Examiner: M. B. Priddy

Commissioner for Patents
Washington, DC 20231

AMENDMENT, REQUEST AND FEE DELETING INCORRECTLY
NAMED PERSON WHO IS NOT AN INVENTOR OF INVENTION
NOW BEING CLAIMED - NONPROVISIONAL APPLICATION
37 C.F.R. § 1.48(b)

Dear Sir:

1. This amendment and request under 37 C.F.R. § 1.48(b) is to delete the name of the following person named as an inventor and who is not an inventor of the invention now being claimed: **Nicholas Nai Guang Dong**

2. Claim(s) now on file:

The claim(s) in this application are as follows:

(check and complete all applicable items)

☒ originally filed claim(s) 1-17 and 81

☐ originally filed claim(s) _____

as amended on _____

☒ claim(s) 82-97 filed on February 20, 2004.

☐ claim(s) _____ filed on _____,

as amended on _____.

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Dated: February 20, 2004

Signature: _____

(Raymond W. Augustin)

Application No.: 10/071,667

Docket No.: OSTEONICS 3.0-380

3. Fee (37 C.F.R. § 1.17(i) - \$130.00)

The fee required by is paid as follows:

☐ Attached is a ☐ check ☐ money order in the amount of \$_____

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☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Dated: February 20, 2004

Respectfully submitted,

By 

Raymond W. Augustin

Registration No.: 28,588

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Docket No.: OSTEONICS 3.0-380
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Wang et al.

Application No.: 10/071,667

Group Art Unit: 3732

Filed: February 8, 2002

Examiner: M. B. Priddy

For: POROUS METALLIC SCAFFOLD FOR
TISSUE-INGROWTH

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

Dear Sir:

This communication is in response to the Office Action mailed December 31, 2003, setting forth a Restriction Requirement in the above-identified application. In the Office Action, the Examiner required restriction to one of the following inventions under 35 U.S.C. §121:

I. Claims 1-18 and 79, drawn to a porous metal scaffold, classified in class 623, subclass 11.11.

II. Claims 19-49, 61-69 and 80, drawn to a method of forming a porous scaffold and an intermediate product of said method, classified in class 623, subclass 23.58.

III. Claims 50-60, drawn to another method of forming a porous scaffold, classified in class 623, subclass 11.11.

IV. Claims 70-72, drawn to a method of improving stability of a porous scaffold in an orthopedic implant, classified in class 623, subclass 16.11.

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Dated: February 18, 2004

Signature: 

(Raymond W. Augustin)

V. Claims 73-78 and 81, drawn to a method of improving stability of a porous scaffold in an acetabular cup implant and an associated acetabular cup, classified in class 623, subclass 22.21.

In response, Applicants hereby elect the invention of Group I, corresponding to claims 1-18 and 79, drawn to a porous metal scaffold. Applicants reserve the right to file a divisional application corresponding to the non-elected claims.

Please cancel claims 19-78 and 81.